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M. B. Swan

**DECISION**



**THE COMPTROLLER GENERAL  
OF THE UNITED STATES**  
WASHINGTON, D. C. 20548

**FILE: B-190053**

**DATE: November 1, 1977**

**MATTER OF: Ikard Manufacturing Co.**

**DIGEST:**

Question of small business concern's responsibility is not for consideration by GAO because conclusive authority over question is vested by statute in SBA. Moreover, it was possible for protester to raise its objections with SBA in course of Certificate of Competency proceeding.

Ikard Manufacturing Co. (Ikard) has protested the Department of the Army's rejection of its firm as nonresponsible under Invitation for Bids No. DAAH01-77-B-0317.

The Army has advised this Office that the contracting officer found Ikard nonresponsible based on a negative pre-award survey and the matter was referred to the Small Business Administration (SBA) for the possible issuance of a Certificate of Competency (COC) as required by Armed Services Procurement Regulation § 1-705.4(c) (1976 ed.) because the firm had certified itself as a small business concern. By letter dated September 20, 1977, the SBA declined to issue a COC.

Under 15 U.S.C. § 637(b)(7) (1970), as amended by Pub. L. No. 95-99, § 501, 91 Stat. 553, the SBA has authority to conclusively determine all elements of responsibility. Our Office does not review SBA determinations or require the SBA to issue a COC even if we disagree with SBA's judgment because, by law, issuance of a COC by SBA is conclusive on procuring officers. Environmental Tectonics Corporation, B-185250, February 13, 1976, 76-1 CPD 101. Moreover, we note that it was possible for Ikard to raise its objections with SBA in the course of the COC proceeding.

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Accordingly, the protest is dismissed.

*Paul G. Dembling*  
Paul G. Dembling  
General Counsel